



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. AUS919970761US2

Prior Application No.: 09/114,051

First Named Inventor: James W. Arendt, et al.

Examiner: John Follansbee

Art Unit:2154

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

Sir: This is a request for filing a _____ continuation
_____ continuation-in-part
X divisional

application under 37 CFR 1.53(b), of pending prior application serial no. 09/114,051 filed on July 10, 1998, for Highly Scalable and Highly Available Cluster System Management Scheme.

1. Enclosed is a complete copy of the prior application including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See Section 14 for declaration.)
2. New formal drawings are enclosed.
3. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
4. Information Disclosure Statement with cited references AA-BB.
5. Also enclosed: Return Postcard
6. Cancel in this application original claims 1-13, 21-22 and 26 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. Amend the specification by inserting the following sentence ~~before the first line~~: "This is a Continuation, Continuation-in-Part or Division of application serial no. 09/114,051, filed July 10, 1998, currently pending." *below the title*
8. Priority of application serial No. _____, filed on _____, in _____ is claimed under 35 U.S.C. 119. The certified copy has been filed in prior application serial no. _____, filed _____.
9. The filing fee is calculated below:

Express Mail No. ET657447168US

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to the Assistant Commissioner of Patents and Trademarks, Box Patent Applications, Washington, D.C. 20231.

Date of Deposit: 1/7/02

By: Dena Faris